

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CONLAN ABU, *et al.*,  
Plaintiffs,

v.

JEFF MULHOLLAND,  
Defendant.

\_\_\_\_\_/

Case No. 20-12805

Gershwin A. Drain  
United States District Judge

Curtis Ivy, Jr.  
United States Magistrate Judge

**ORDER DIRECTING SERVICE OF MOTION AND FOR RESPONSE**

Plaintiffs moved to compel non-party John Latella to comply with their Fed. R. Civ. P. 45 subpoena for deposition on February 9, 2023. (ECF No. 70). The motion was referred to the undersigned for determination. (ECF No. 71). Plaintiffs did not indicate whether they served this motion on Latella. Because Latella is not a party to this action, he will not receive notice of the filing through the Court's electronic filing system.

Plaintiffs are **ORDERED** to serve a copy of their motion and this Order on Latella by the means prescribed in Fed. R. Civ. P. 45(b)(1), i.e., by personal service. They must also mail a copy of their motion and this Order to Latella by U.S. Mail. These attempts at service must be completed **within 7 days** of this Order. They may forgo these means of service if they obtain consent from Latella to accept service of the motion and this Order by any other means. Plaintiffs must file a certificate of service confirming the methods and attempts at service.

Latella is **ORDERED** to file a response to the motion to compel **within 14 days** of service of the motion and this Order. Plaintiffs' reply, if any, is due within 7 days of service of the response. **Failure to respond could result in an order granting all or part of the relief requested by Plaintiffs.**

**IT IS SO ORDERED.**

The parties here may object to and seek review of this Order, but are required to file any objections within 14 days of service as provided for in Federal Rule of Civil Procedure 72(a) and Local Rule 72.1(d). A party may not assign as error any defect in this Order to which timely objection was not made. Fed. R. Civ. P. 72(a). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. When an objection is filed to a magistrate judge's ruling on a non-dispositive motion, the ruling remains in effect unless it is stayed by the magistrate judge or a district judge. E.D. Mich. Local Rule 72.2.

Date: February 13, 2023

s/Curtis Ivy, Jr.  
Curtis Ivy, Jr.  
United States Magistrate Judge